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Department of State TELEGRAM

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ACTION EA-20

INFO OCT-01 EUR-20 CIAE-00 DODE-00 PM-05 H-02 INR-08 L-04
NSAE-00 NSC-10 [illegible]-03 RSC-01 PRS-01 SS-20 USIA-12 UPW-01
AID-28 RSR-01 /137 W
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R 120946Z FEB 71
FM AMEMBASSY SAIGON
TO SECSTATE WASHDC 1089
INFO AMEMBASSY BANGKOK
CINCPAC
AMCONSUL DANANG
USDEL FRANCE
AMEMBASSY VIENTIANE

DEPARTMENT OF STATE A/CDO/MR
REVIEWED BY Jean Izyberg DATE 1/26/82
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TS AUTH. REASON(S)
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CINCPAC FOR POLAD

SUBJECT: UPPER HOUSE CONSIDERATION OF PRESIDENTIAL ELECTION BILL

1. SENATOR NGUYEN HUY CHIEU, CHAIRMAN OF UPPER HOUSE INTERIOR COMMITTEE WHICH IS CURRENTLY STUDYING THE PRESIDENTIAL ELECTION BILL, TOLD US FEBRUARY 11 THAT THE BILL WILL PROBABLY NOT REACH THE UPPER HOUSE FLOOR UNTIL LATE APRIL OR EARLY MAY. HE COMMENTED THAT HE IS READY TO SUBMIT THE BILL TO THE FLOOR NOW, BUT THAT MEMBERS OF HIS COMMITTEE REPRESENTING VARIOUS GROUPS (UNNAMED) PREFER TO DELAY THE VOTE UNTIL OPINIONS ARE LIKELY TO BE CALMER ON THE CONTROVERSIAL PROVISIONS.

2. CHIEU DID NOT SPECIFY WHAT ACTION HIS COMMITTEE OR THE UPPER HOUSE MAY TAKE ON THE BILL, BUT HE STATED THAT THE EXECUTIVE IS "NOT INSISTING" ON THE REQUIREMENT THAT CANDIDATES BE ENDORSED BY 40 NATIONAL ASSEMBLY MEMBERS OR 100 PROVINCIAL COUNCIL MEMBERS.

3. OPINIONS OF LEADING SENATORS ON THE 40/100 PROVISION VARY

(2)

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CONSIDERABLY. PRO-EXECUTIVE SENATOR DANG VAN SUNG TOLD US RECENTLY THAT HE WILL SEEK TO RETAIN REQUIRMENT FOR NOMINATION BY 40 NATIONAL ASSEMBLY MEMBERS BUT ELIMINATE PROVISION FOR NOMINATION BY PROVINCIAL COUNCIL MEMBERS ENTIRELY. SEVERAL OTHER SENATORS BELIEVE THAT THE 40/100 CLAUSE IS TOO RESTRICTIVE AND WISH TO SEE LOWER FIGURES, SUCH AS 20/50. OTHERS THINK THAT THIS PROVISION SHOULD BE DROPPED COMPLETELY ON THE GROUNDS THAT OTHER REQUIREMENTS IN THE BILL (SUCH AS THE LARGER MONETARY DEPOSITS TO BE FORFEITED IF CANDIDATE FAILS TO RECEIVE CERTAIN PERCENTAGE OF THE VOTES) WILL ELIMINATE NON-SERIOUS CANDIDATES.

4. COMMENT: CURRENT PROPECTS ARE THAT THE UPPER HOUSE WILL EITHER DROP THE 40/100 PROVISION ENTIRELY OR LOWER THE REQUIREMENT TO PERHAPS 20/50.
BERGER